

AMENDED

Nº 45011

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office NOV 2 1981

Returned to applicant for correction MAR 5 1982

Corrected application filed APR 23 1982

Map filed APR 23 1982

The applicant Marshall L. Morgan
4020 Birch Street Suite 103, of Newport Beach,
Street and No. or P.O. Box No. City or Town
California 92660, hereby make^s application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Trout Creek through Marshall Morgan
Name of stream, lake, spring, underground or other source
Power Pipeline Application 42759

2. The amount of water applied for is 3.0 cfs second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.

3. The water to be used for Irrigation & Domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated: 160 acres

(b) Stockwater, state number and kinds of animals to be watered:

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, T37N, R61E, MDM

5. The water is to be diverted from its source at the following point: NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T37N, R61E,
Describe as being within a 40-acre subdivision of public
MDM, at a point from which the W $\frac{1}{4}$ corner of said Section 21 bears N 12° 15' W
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
879 feet

6. Place of use SW $\frac{1}{4}$ of Section 5, T37N, R61E, MDM
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) diversion dam & pipeline will be constructed
under Application 42759-diversion State manner in which water is to be diverted, i.e. diversion structure, ditches and
structure will be less than 10' high and contain less than 10 acre feet
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works will be constructed under Application 42759-\$250,000

10. Estimated time required to construct works..... will be constructed under Appl'n.42759-4 years
If well completed, describe works.
11. Estimated time required to complete the application of water to beneficial use..... 5 years-after pipeline has been installed
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Due to the installation of a pipeline applied for under Application 42759, it is estimated that substantial amounts of water will become available because of no ditch loss. This application is being filed on those waters that will be realized due to lack of ditch absorption once the pipeline is constructed. These waters will be used to place additional acreage under cultivation. Please send copies of all correspondence to undersigned agent and to Stewart R. Wilson, P.O. Box 389, Elko, Nevada 89801

By.....s/William A. Nisbet..... Agent
421 Court, Elko, Nevada 89801

Compared bc/dh..... b1/bc

Protested 6/24/82 by Martha P. Sims; 6/25/82 by Pershing County Water Conservation (cont. on Pg2)

DENIAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ deny the same, subject to the following limitations and conditions:

This application is hereby denied on the grounds that there is no unappropriated water on the source.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

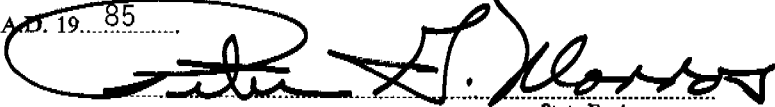
Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed..... IN TESTIMONY WHEREOF, I..... PETER G. MORROS

Proof of beneficial use filed..... State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed..... my office, this..... 8th..... day of..... November.....

Certificate No..... Issued.....

A.D. 19..... 85.....

State Engineer

PAGE 2

PROTESTED (from cont.) District of Nevada; 6/29/82 by Frederick A. Howell;
6/30/82 by Wells Rural Electric Company; 7/6/82 by Florence G.
Peavey;